



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

EDWIN J. DAY
County Executive

Building T
Pomona, NY 10970
(845) 364-3434
Fax. (845) 364-3435

DOUGLAS J. SCHUETZ
Acting Commissioner

February 3, 2015

Clarkstown Planning Board
10 Maple Avenue
New City, NY 10956

ARLENE R. MILLER
Deputy Commissioner

Tax Data: 58.19-1-11

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M

Map Date: 12/16/2014

Date Review Received: 1/9/2015

Item: *ROCKLAND JEWISH COMMUNITY CENTER CORP/DAY CARE CTR. (C-1281X)*

Site plan for a proposed 5,374 sq. ft. expansion of an existing day care center in an existing school and camp facility in the LIO zoning district on 15.13 acres.

North side of West Nyack Road, east of the Palisades Interstate Parkway ramp, south of the NYS Thruway, west of Carley Court

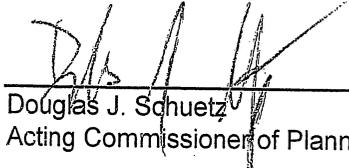
Reason for Referral:

Palisades Interstate Parkway, New York State Thruway

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 A review must be completed by the County of Rockland Department of Health and any required permits obtained.
- 2 The comments in the January 23, 2015 letter from the Rockland County Sewer District No. 1 must be met.



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Alex Gromack, Clarkstown
Palisades Interstate Park Commission
New York State Thruway Authority
Rockland County Department of Health
Rockland County Sewer District #1
DCAK - MSA

ROCKLAND JEWISH COMMUNITY CENTER CORP/DAY CARE CTR. (C-1281X)

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.